

*Image* 1635  
Patent  
Attorney Docket No. 021565-060

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Waterhouse et al.

Application No.: 09/287,632

Filing Date: April 7, 1999

Title: Methods and Means for Obtaining Modified Phenotypes

Group Art Unit: 1635

Examiner: Karen A. LaCourciere

Confirmation No.: 6526

**NINTH  
INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a NINTH Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☐ No additional fee for submission of an IDS is required.
- ☒ The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- ☒ A check in the amount of \$ 180.00 is enclosed for the fee due.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: March 4, 2004

By *Malcolm K. McGowan*  
Malcolm K. McGowan, Ph.D.  
Registration No. 39,300

03/08/2004 HMEKONEN 00000020 09287632

01 FC:1806

180.00 OP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	
Waterhouse et al.	)	Group Art Unit: 1635
Application No.: 09/287,632	)	Examiner: Karen A. LaCourciere
Filed: April 7, 1999	)	Confirmation No.: 6526
For: Methods and Means for Obtaining	)	
Modified Phenotypes	)	

**NINTH INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

The documents are being submitted after a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c), a statement is enclosed.


☐ In accordance with MPEP § 609 III C(2) (August 2001, page 600-131), the Office is requested to return a copy of this Information Disclosure Statement with the Examiner's initials adjacent to this paragraph indicating that this copending application has been considered. By citation to the copending application, confidentiality is not waived and the Office is requested to maintain the confidentiality of the copending application under 35 U.S.C. § 122.

To assist the Examiner, the document is / documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

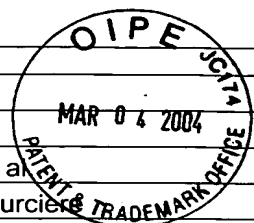
BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date March 4, 2004

By:   
Malcolm K. McGowan, Ph.D.  
Registration No. 39,300

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Substitute for form 1449A/PTO & 1449B/PTO			<b>Complete if Known</b>		
<b>NINTH INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <small>(use as many sheets as necessary)</small>			<b>Application Number</b>	09/287,632	
			<b>Filing Date</b>	April 7, 1999	
			<b>First Named Inventor</b>	Waterhouse et al.	
			<b>Examiner Name</b>	Karen A. LaCourciere	
			<b>Attorney Docket Number</b>	021565-060	
Sheet	1	of	2		



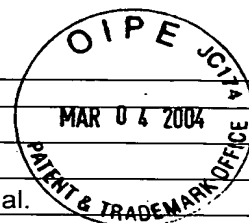
U.S. PATENT DOCUMENTS				
Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	Translation	
					Yes	No

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	F.H. Cameron, et al., "Inhibition of Gene Expression by a Short Sense Fragment" Nucleic Acids Research, Vol. 19, No. 3, pp. 469-475, 1991 Oxford University Press, Oxford, England		
	E.C. Dale et al., "Intra- and Intermolecular Site-Specific Recombination in Plant Cells Mediated by Bacteriophage P1 Recombinase", Gene, Vol. 91, pp. 79-85, 1990, Elsevier Science Publishers B.V. (Biomedical Division) NY USA		
	D.R. Dorer et al., "Transgene Repeat Arrays Interact With Distant Heterochromatin and Cause Silencing in <i>cis</i> and <i>trans</i> ", Genetics, Vol. 147, pp. 1181-1190 (Nov. 1997), Genetics Society of America,		
	A. Fire et al, "Production of Antisense RNA Leads to Effective and Specific Inhibition of Gene Expression in <i>C. elegans</i> Muscle", Development, vol. 113, pp. 503-514 (1991), The Company of Biologists Limited, Great Britain		
	M.H. Kumagai et al, "Cytoplasmic Inhibition of Carotenoid Biosynthesis With Virus-Derived RNA", Genetics, Proc. Natl. Acad. Sci. USA, Vol. 92, pp. 1679-1683, Feb. 1995, National Academy of Sciences, Washington, D.C.		
	J. Lisiewicz et al, "Inhibition of Human Immunodeficiency Virus Type 1 Replication by Regulated Expression of a Polymeric Tat Activation Response RNA Decoy as a Strategy for Gene Therapy in AIDS", Medical Sciences, Vol. 90, pp. 8000-8004, Sept. 1993, Proc. Natl. Acad. Sci. USA, Washington D.C.		
	M. Matzke et al., "How and Why Do Plants Inactivate Homologous (Trans)genes?", Plant Physiol. (1995) vol. 107, pp. 679-685, American Society of Plant Physiologists, Lancaster, PA		
	M. Matzke et al, "Epigenetic Silencing of Plant Transgenes as a Consequence of Diverse Cellular Defence Responses" CMLS, Cell. Mol. Life Sci. Vol. 54 (1998) pp. 94-103, Birkhauser, Basel, Switzerland, Boston		
	M. Montgomery et al., "Double-stranded RNA as a Mediator in Sequence-Specific Genetic Silencing and Co-suppression", TIG July 1998, Vol. 14, No. 7, pp. 255-258, Elsevier Science Ltd., Oxford, England		
	C. Proud, "PKR: a New Name and New Roles", TIBS 20 June 1995, pp. 241-246, Elsevier Science, Oxford, England		
	F. Ratcliff et al., "A Similarity Between Viral Defense and Gene Silencing in Plants", Science, Vol. 276, 6 June 1997, pp. 1558-1560, Amer. Assn. for the Advancement of Science, Washington, D.C.		
	W. Schiebel et al., "RNA-directed RNA Polymerase From Tomato Leaves", The Journal of Biological Chemistry, Vol. 268, No. 16, Issue of June 5, pp. 11858-11867, 1993, The American Society for Biochemistry and Molecular Biology, Inc., American Society for Biochemistry and Molecular Biology,		
Examiner Signature		Date Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

Substitute for form 1449A/PTO & 1449B/PTO		<b>Complete if Known</b>	
<b>NINTH INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <small>(use as many sheets as necessary)</small>		<b>Application Number</b>	09/287,632
		<b>Filing Date</b>	April 7, 1999
		<b>First Named Inventor</b>	Waterhouse et al.
		<b>Examiner Name</b>	Karen A. LaCourciere
<b>Sheet</b>	2 of 2	<b>Attorney Docket Number</b>	021565-060



NON-PATENT LITERATURE DOCUMENTS	
<b>Examiner Initials</b>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	Baltimore, Maryland
	L.Q. Sun et al., "Resistance to Human Immunodeficiency Virus Type 1 Infection Conferred by Transduction of Human Peripheral Blood Lymphocytes With Ribozyme, Antisense, or Polymeric Trans-Activation Response Element Constructs", Proc. Natl. Acad. Sci., USA Vol. 92, pp. 7272-7276, August 1995, Medical Sciences, Washington, D.C.
	H. Tabara et al., "RNAi in <i>C. elegans</i> : Soaking in the Genome Sequence", Science, Vol. 282, 16 October 1998, pp. 430-431, Amer. Assn. for the Advancement of Science, Washington, D.C.
	L. Timmons et al., "Specific Interference by Ingested dsRNA", Nature, vol. 395, 29 October 1998, Nature Publishing Group, London, England
	M. Wassenegger et al., "A Model for RNA-Mediated Gene Silencing in Higher Plants", Plant Molecular Biology, Vol. 37, pp. 349-362, 1998, Kluwer Academic Publishers, Belgium

<b>Examiner Signature</b>		<b>Date Considered</b>	
---------------------------	--	------------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.